

REMARKS

This amendment responds to the office action dated October 18, 2007.

The Examiner rejected claims 1, 6-11, and 16-20 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Tretiakoff et al., U.S. Patent Pub. No. 2003/0134256 (hereinafter Tretiakoff) in view of Chakraboty, U.S. Pat. No. 6,529,641 and Connor et al., U.S. Pat. No. 5,836,664 (hereinafter Connor). Each of independent claims 1 and 1, as amended, recite the limitation of “a fourth element capable of automatically processing said captured image so as to correct, without user interaction, for image distortion resulting from capturing an image from a surface not parallel to that of an image sensor in said third element, where said processing facilitates automated character recognition of text in a captured said image.” The Examiner alleges that the specific combination of Tretiakoff and Connor would disclose this limitation, because Connor ostensibly discloses an automated method of correcting image skew. The Examiner’s analysis is flawed, however, as the method of Connor depends on the skew being produced by a projector projecting an image onto a surface not perpendicular to the projector, and specifically corrects for that skew by adjusting the physical optical geometry of the projector itself. This technique would be of no utility to the off-the-shelf digital camera of Tretiakoff. First, there is no optical component of the camera that can be automatically rotated – instead a person would have to physically tilt the camera so that the entrance pupil of the lens, as well as the sensor, was perpendicular to the imaged surface. Second, even the image skew would be corrected by simply automatically tilting the image sensor inside the camera, it is highly doubtful that there would be sufficient room for such maneuverability, particularly in a digital SLR where the mirror would likely slap against the sensor, and damaging it.

Therefore, independent claims 1 and 11, as well as dependent claims 6-10 and 16-20 patentably distinguish over the cited prior art.

The Examiner rejected claims 5 and 15 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Tretiakoff et al., U.S. Patent Pub. No. 2003/0134256 (hereinafter Tretiakoff) in view of Chakraboty and Connor, and in further view of Wilson, U.S. Pat. Pub. No. 2003/0229497. The Examiner alleges that Wilson discloses “a *speech recognition method* that

includes a dictionary that recites pronunciations of words to the user based on the phonetic instructions estimated by the dictionary.” The Examiner has not explained why one of ordinary skill in the art would find it obvious to modify an *optical* recognition system to include the dictionary of Wilson. More specifically, Wilson teaches that speech recognition systems will often print out the text of a wrong word in response to what is spoken by a user, and that this error often results from mispronunciations, and more specifically common mispronunciations of words. Rather than trying to adjust the automated speech recognition software, however, Wilson approaches the problem from the opposite angle – trying to teach people to speak correctly so that the speech recognition software can do its job.

In this vein, the system of Wilson includes a specific “dictionary” of commonly mispronounced words. When a user recites one or more words that do not appear as the correct text output from the automated speech recognition module, the user indicates that an error occurred and the system consults the dictionary to determine whether the error was due to one of the common mispronunciations. If so, the device of Wilson enters “tutorial” mode to bring the user’s diction up to par. Thus, not only is the dictionary of Wilson only useful as an automated check for misspoken words, rather than misspelled words, but is constructed on the basis of multiple voice samples – neither of which has any relevance to an optical recognition system. Thus, there is no reason why one of ordinary skill in the art would look to Wilson’s *speech* recognition system to improve Tretiakoff’s *optical* recognition system. Therefore, the applicant respectfully requests that the Examiner’s rejection be withdrawn.

The Examiner rejected claims 21, 25, and 26 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Tretiakoff in view of Cunningham, U.S. Patent No. 6,208,436. Claim 21 recites the limitation of “where said processor includes a page prompt module that is capable of identifying a page number in the header or footer of an image, and prompting the audio device to recite a warning to a user if the apparatus receives images of pages of text in nonsequential order.” The Examiner alleges that this limitation is disclosed by Cunningham. It is not. Cunningham merely discloses the production and use of header and trailer pages that include statistical information about the scan or print job, e.g. page count etc. Thus, Cunningham enables

a scanner or printer, once the job is completed, to compare the actual pages scanned or printed to the number indicated in the page count field of a bar code on the header or trailer page.

Cunningham does not disclose identifying a header or footer *of a* page, and certainly discloses no means of detecting the scanning of pages in non-sequential order. (Note that if pages were scanned in non-sequential order, such as page 4 being switched with page 3, the method of Cunningham would be unable to detect it, so long as the full page count were correct). Nor would this method have any applicability to the device of Tretiakoff, where there is no way to communicate to a camera the number of pages in a book being scanned, for example.

For these reasons, the applicant respectfully requests that the Examiner withdraw the rejection of claims 21, 25, and 26.

The Examiner rejected claims 4 and 14 under 35 U.S.C. § 103(a) as being obvious over the combination of Tretiakoff, Chakraborty, Connor, and Schuller. Each of claims 4 and 14 has been amended to make the teachings of Schuller inapplicable. Claims 4 and 14 depend from claims 1 and 11, respectively, and are distinguished over the cited prior art for the same reasons as these independent claims. The applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 4 and 14.

The Examiner rejected claims 22 and 23 under 35 U.S.C. § 103(a) as being obvious over respective combinations of Tretiakoff, Schuller, Cunningham, and Rao, U.S. Pat. Pub. No. 2004/0203817. Claims 22 and 23 depend from claim 21 and are distinguished from the cited prior art for the same reasons as is this independent claim. Therefore, the applicant respectfully requests reconsideration and allowance of claim 22.

The Examiner rejected claims 28, 30, and 32-34 under 35 U.S.C. § 103(a) as being obvious over respective combinations of Tretiakoff, Schuller, and in further view of Struble et al., U.S. Pat. Pub. No. 2002/0163653. (hereinafter Struble.) Claim 28, from which claims 30 and 32-34 respectively depend, includes the limitation of “storage storing a plurality of templates for *identifying* the layout format of text in an image captured by said digital camera.”(emphasis added). Struble merely discloses that a scanner may include a number of templates, each

including a field to insert a scanned image. Once a user selects a template, the scanned image is inserted into the appropriate area of the template, which may be printed. For example, a template may include a four-inch graphical design at the top of a page with a four inch by six-inch field below it to insert scanned text. If an 8.5 x 11 inch page of text is scanned, after selecting the template, the scanned image is resized appropriately and inserted into the field to create the desired document.

Nothing in Struble remotely suggests the limitation of “identifying” a template in which a scanned document has been formatted. Struble discloses nearly the exact opposite – scanning a document and inserting it *into a pre-identified* template. Therefore each of claimed 28, 30, and 32-34 patentably distinguish over the cited prior art.

The Examiner rejected dependent claims 2, 3, 12, 13, 24, 29, and 31 under respectively cited combinations involving the prior art previously discussed. Each of these claims depends from a respective one of independent claims 1, 11, 21, and 28, and is distinguished over the prior art for the same reasons as the respective independent claim from which they each depend.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-26 and 28-34.

Respectfully submitted,



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